

A1 3. (Amended) A method, according to claim 2, wherein the back side of the semiconductor die reflects the second beam of light back to the first beam splitter, and wherein the relational factor is a function of a time differential, or intensity, between the [first and second] third and fourth beams of light.

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A2 8. (Amended) A method, according to claim 1, wherein the relational factor is a function of a time differential, or intensity, between the [first and second] third and fourth beams of light.

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A3 16. (Amended) A system, according to claim 11, wherein the relational factor is a function of a time differential, or intensity, between the [first and second] third and fourth beams of light.

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### Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action dated September 22, 2000, indicated that claims 1-16 stand rejected under 35 U.S.C. §112, first paragraph; claims 3, 6 and 16 stand rejected under 35 U.S.C. §112, second paragraph; and claims 1, 2, 7 and 9-15 stand rejected under 35 U.S.C. §103(a) over *Marx et al.* (U.S. Patent No. 5,880,838).

In regard to the Section 112, first paragraph rejection of claims 1-16, Applicant respectfully traverses because the Specification and claims are clearly sufficient to enable one skilled in the art to make and use the invention. In regard to how the light is reflected from the die, reflections from various defects, surfaces and other portions in the die can cause the reflection. For example, page 8, lines 9-16, page 10, lines 18-23 and FIG. 2, item 232 at surface 231 are all example embodiments directed to light reflected from a portion of the die. In regard to the Office Action's mention of polarization orientations and light scattering, Applicant requests clarification because none of these elements are specifically claimed. In regard to the Office Action's mention of interferometer structure, Applicant submits that various interferometer structures would be applicable for use in connection with the present invention, and that one skilled in the art would recognize what such interferometer structures are. In

addition, FIG. 2 shows an example structure that can be used in a manner similar to other disclosed interferometry techniques. In regard to light containing encoded defect information, as mentioned in the Office Action, Applicant also requests clarification because no such “encoded” defect information is claimed in the present invention. In addition, Applicant submits that various examples for detecting a defect using the light are provided in the Specification (*see, e.g.*, page 8, lines 9-16). For instance, a reflection from a die undergoing analysis is compared to other dies as a reference, and differences exhibited by the comparison can be an indication that a defect exists (*see, e.g.*, page 11, lines 4 - 14 of the Specification). Moreover, none of the cited elements related to the Section 112 rejection are claimed, nor are they necessary to practice the invention. Therefore, Applicant submits that disclosure of any such teaching for unclaimed limitations is not required.

Applicant submits that the amendment made to the claims overcomes the Section 112, second paragraph rejection made thereto. Claims 3, 8 and 16 have been amended in response to the Section 112 rejection. In addition, Applicant submits that claim 6 does not include the subject matter objected to, and therefore the Section 112 rejection is improper and should be removed.

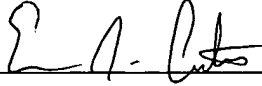
In regard to the Section 103(a) rejection, Applicant respectfully traverses because no single reference or combination of references teaches or suggests every element of the claimed invention, including defect detection and/or thinning as indicated on page 4 of the Office Action. Should the rejection be maintained, Applicant requests that a reference be provided that teaches or suggests the elements indicated as missing from the ‘838 reference in the Office Action.

Furthermore, the Office Action has not provided motivation for modifying the ‘838 reference. Applicant has reviewed the ‘838 reference and cannot find teaching or suggestion for modifying the reference to achieve the claimed limitations. Therefore, Applicant submits that the Section 103(a) rejection is improper and should be removed.

In view of the above, Applicant submits that each of the claims is in condition for allowance. Reconsideration and withdrawal of the rejections, along with a favorable response, are earnestly requested.

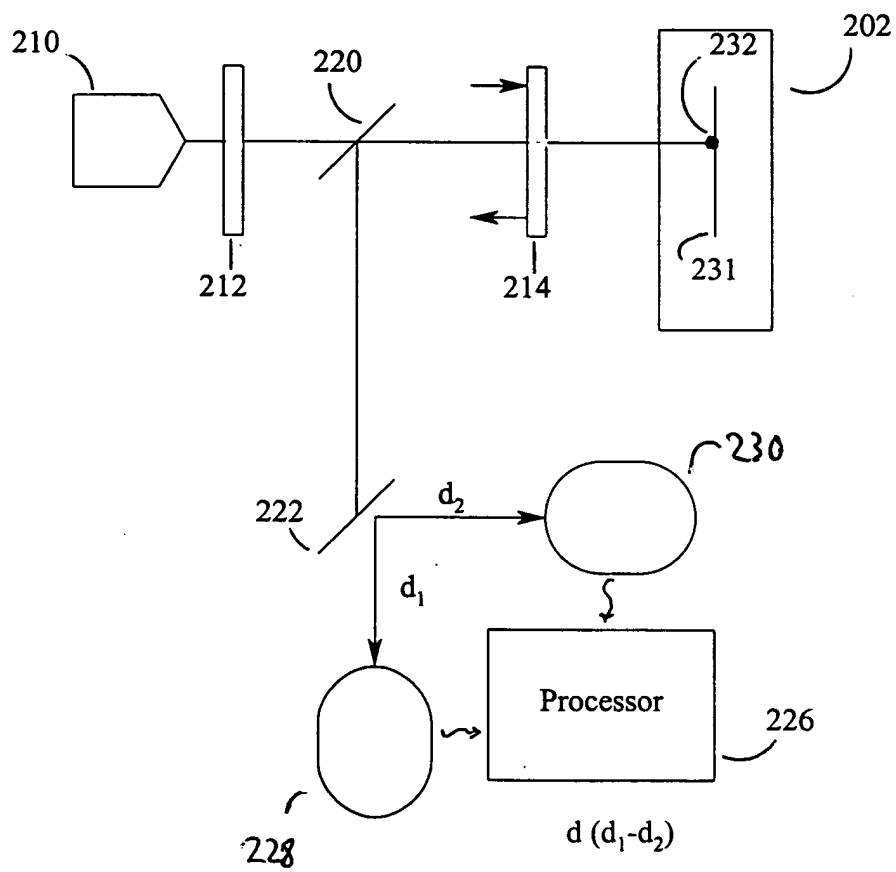
Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at 651/686-6633.

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Encl.: Amended FIG. 2

FIG. 2



APPROVED:  
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